

**MINUTES OF THE CITY COMMISSION MEETING
MAY 10, 2004**

The City of Leesburg Commission held a regular meeting Monday, May 10, 2004, in the Commission Chambers at City Hall. Mayor Knowles called the meeting to order at 5:30 p.m. with the following members present:

Commissioner John Christian
Commissioner Bob Lovell
Commissioner Ben Perry
Commissioner Lewis Puckett
Mayor David Knowles

City Manager Ron Stock was away on City business. Also present were Deputy City Manager (DCM) Robert Johnson, City Clerk (CC) Betty Richardson, City Attorney (CA) Fred Morrison, Deputy City Clerk (DCC) Diane Gibson Smith, the news media, and others.

Commissioner Lovell gave the invocation followed by the Pledge of Allegiance to the Flag.

**APPROVED CITY COMMISSION MINUTES OF THE REGULAR MEETING HELD
APRIL 26, 2004**

Commissioner Lovell moved to approve the City Commission minutes of the regular meeting held April 26, 2004. Commissioner Perry seconded the motion and it carried unanimously.

PRESENTATIONS

- A. Police Chief Chuck Idell presented a service award to William Chrisman for fifteen years in the Police Department.
- B. Mayor Knowles presented a Certificate of Recognition to Chet Blackmon for his participation in Capital for a Day, March 30, 2004.
- C. Mayor Knowles presented a Certificate of Recognition to Joe Shipes for his participation in Capital for a Day, March 30, 2004

**APPROVED MOVING FORWARD WITH NEGOTIATIONS AND PREPARATIONS
FOR RFQ/RFP FOR NEW CIVIC CENTER**

DCM Johnson gave a presentation on ideas for the proposed Civic Center. (A copy of the PowerPoint presentation is attached.) DCM Johnson explained the RFQ/RFP process. He noted the top three designers will be asked to design the Civic Center and each will be paid \$10,000. Overall cost is expected to be around \$5 million - \$2 million for site work and the remainder for the building.

Commissioner Perry stated the RFQ/RFP process is an excellent idea. During the workshop in February, the Commission discussed neighborhood community centers and decided separate neighborhood centers are not the best way as Leesburg is still a small community. Commissioner Perry stated he would like to see the CDC and either the Carver Heights CRA or the Carver Heights Neighborhood Association as part of the design selection team.

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Commissioner Lovell stated his main concern is having a building the City can grow into; not one that accommodates today, but has space for the future. A second concern is he thought a decision to move the swimming pool and aquatic center to another location had already been made. DCM Johnson noted moving of the pool and building the aquatic center are for the future; perhaps 3 – 4 years out unless land and/or grants become available before then.

Commissioner Puckett stated the proposed ideas will fulfill all the needs and provide the best payback for the community.

Commissioner Christian stated all the residents of the community need to be represented on the design selection team. Commissioner Christian commended Commissioner Perry on his suggestion to include additional diversified groups. Commissioner Christian questioned the size of the pavilion. DCM Johnson stated the new pavilion will replenish something that will be demolished during construction. Square footages of the buildings have not been determined. He noted all costs need to be kept in mind – including maintenance and upkeep costs.

Mayor Knowles stated it is good to have a 2 story building to showcase the lakefront. He suggests a less rectangular and a more square design. He would also like the building to have a more homey style. Community involvement is important. Mayor Knowles also voiced concerns on building capacity.

Commissioner Puckett moved to keep the title of Civic Center. Commissioner Perry seconded the motion.

Commissioner Perry requested clarification on what the Commission is approving. He noted staff needs to check water retention requirements and parking space. Commissioner Perry further noted a capacity of 1,000 people will be very costly.

DCM Johnson explained staff is requesting to go forward with master plan option 2 which is a two story structure, number of units to be served based on later approved budget, water retention requirements and parking, to proceed with an agreement with the Boat Club, to proceed with the RFQ/RFP process with the final 3 companies receiving a payment of \$10,000 each for their proposed designs, and retaining the name of Civic Center.

Commissioner Puckett moved to approve the project given the clarification above. Commissioner Perry seconded the motion. The roll call vote was;

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission approved moving forward with the Civic Center project as noted.

PROCLAMATIONS:

Mayor Knowles proclaimed May 9 through May 15, 2004 as Law Enforcement Week by reading the proclamation in its entirety.

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CONSENT AGENDA:

Commissioner Perry moved to adopt the Consent Agenda and Commissioner Puckett seconded the motion. The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the Consent Agenda as follows:

PURCHASING ITEMS:

LB-04-07	Trencher with Backhoe and Trailer for Electric Dept. awarded to Ditch Witch for \$40,921.87.
School Board Contract	Provide contract labor and skilled craftworkers on an as-needed basis through June 9, 2005 awarded to Mark Cook Builders
	Software to upgrade existing systems for the MIS Dept. awarded to USA Software Inc. for \$37,140.25.
	Crimeview mapping software module for the MIS Dept. awarded to USA Software Inc. for \$39,500.00.
	Software licenses for GIS and Police Departments awarded to CDW-G for \$64,722.12.

RESOLUTIONS:

RESOLUTION 7102

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Mark Cook Builders, Inc. for the purposes of providing contract labor-construction craftworkers on a continuing basis, and providing an effective date.

RESOLUTION 7103

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and J&H Waterstop, Inc. for the purposes of providing manhole rehabilitation on a continuing basis, and providing an effective date.

RESOLUTION 7104

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the execution of a utility easement agreement between SDG Macerich Properties, L.P., as grantor, and the City of Leesburg, as grantee; and providing an effective date.

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RESOLUTION 7105

A resolution of the City Commission of the City of Leesburg, Florida, authorizing and directing the Mayor and the City Clerk to execute an agreement with the Florida Department of Transportation for illumination services on US 441 from Perkins Street to Griffin Road and providing an effective date.

RESOLUTION 7106

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Boyle Engineering Corporation for Amendment No. 4; and providing an effective date.

RESOLUTION 7107

A resolution of the City Commission of the City of Leesburg, Florida, approving the appointment of Laura McElhanon to the Technical Advisory Committee (TAC); and providing an effective date.

RESOLUTION 7108

A resolution of the City Commission of the City of Leesburg, Florida, approving the appointment of K. Howard Wiener to the Citizens Advisory Committee (CAC); and providing an effective date.

RESOLUTION 7109

A resolution of the City Commission of the City of Leesburg, Florida, adopting standard construction specifications relating to Water, Wastewater, Reclaimed Water, and Electric Service and providing an effective date.

RESOLUTION 7110

A resolution of the City Commission of the City of Leesburg, Florida approving and adopting the City of Leesburg Purchasing Card Policy and Procedures contained therein; and providing an effective date.

PUBLIC HEARINGS:

ADOPTED ORDINANCE 04-26 TO BE KNOWN AS THE CITY OF LEESBURG CONSTRUCTION CODE: PROVIDING FOR THE ADOPTION OF THE FLORIDA BUILDING CODE 2001 EDITION - HISTORIC BUILDING CODE

CC Richardson read the ordinance, by title only, as follows:

An ordinance to be known as the City of Leesburg Construction Code; providing for the adoption of the Florida Building Code 2001 Edition; providing for administration; providing for the severance of parts; providing for a repealer clause; providing for violations, remedies and penalties; providing for inclusion in the code; providing for an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Puckett seconded the motion. The roll call vote was as follows:

Commissioner Puckett	Yea
Commissioner Christian	Yea

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Commissioner Lovell	Yea
Commissioner Perry	Yea
Mayor Knowles	Yea

Five yeas, no nays, the ordinance was adopted.

ADOPTED ORDINANCE 04-27 ADOPTING A UNIFIED LAND DEVELOPMENT CODE

CC Richardson read the ordinance, by title only, as follows:

An ordinance adopting a unified Land Development Code for the City of Leesburg, Florida; amending §2-51, Chapter 2, Article IV, Divisions 2, 4, 5 and 8 (respectively dealing with Advisory Boards generally, Code Enforcement, the Local Planning Agency, the Planning Commission and the Historic Preservation Board); repealing Chapter 25, Articles I through XI inclusive (Zoning and Land Use); repealing Chapter 3, Article III (Signs); repealing Chapter 19 (Subdivisions); repealing Chapters 26 (Wetlands) and 27 (Wellfield Protection); repealing Chapter 28-4(6) (Stormwater Management) and 29 (Concurrency); and repealing Chapter 20.5 (Telecommunications); enacting new provisions governing Land Use, Zoning, Board of Appeals, Advertising and Signs, Subdivisions, Wetlands, Natural Resources, Wellfield Protection, Flood Protection Concurrency and Telecommunications, as a Unified Land Development Code; repealing any conflicting ordinances; authorizing the appropriate renumbering of any sections by those compiling this code; providing a savings clause; and providing an effective date.

Planning Manager (PM) Bill Wiley introduced the consultants from Glatting Jackson: Frances Chandler-Marino, planning director, and Tara Salmieri. Ms. Chandler-Marino reviewed the changes being suggested to the City's Land Development Code. She noted most of the changes are cleaning up the codes and organizing items to make them easier for the user. Chapter 4 (Zoning Districts) – added Overlays which address the design of the property versus density; Chapter 5 (New Site Design Standards) – includes new landscaping regulations and parking standards; and Chapter 6 (Sign Standards) received the most revisions.

DCM Johnson explained amortization of signs. He further stated in 2005 businesses will no longer be able to use portable signs. He further noted Tavares is doing this. CA Morrison stated Mt Dora is also doing this.

PM Wiley stated companies will be given an incentive of no fees, additional height and extra square footage if they revise their signage within the initial 12 months.

PM Wiley noted one change to the code is noted in the back-up but not in the agenda memo. This needs to be included in the requested changes.

Commissioner Puckett moved to approve the additional change and Commissioner Perry seconded the motion.

The roll call vote was as follows:

Commissioner Christian	Yea
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Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Puckett	Yea
Mayor Knowles	Yea

Bennett Walling, Walling Enterprise, stated he likes the code and was able to give some input. Mr. Walling's is concerned it will be difficult to enforce the sign changes. He stated there are 90 signs between here and Checkers on US Highway 27.

DCM Johnson stated DOT will remove many of these signs when they widen US 27/441. Renters need to have compliance verbiage in their leases. CA Morrison stated Mr. Walling has such verbiage in his leases.

Mr. Walling stated he has another question regarding platting of commercial property. The problem is commercial lots go through the site plan and then the need arises to plat the property. DCM Johnson stated the City has a good PUD (planned unit development) plan in place now, which was not in place 6 years ago. DCM Johnson added a minimum lot line adjustment is now in the code as the City has attempted to give developers some flexibility.

Commissioner Lovell left the room at 6:35 p.m. and returned at 6:37.

Commissioner Christian asked if there were any legal issues involved in inactivating the Pine Street Commercial District. CA Morrison stated there are no legal issues involving the Pine Street Commercial District. It was a grand experiment but was not successful and it is time to delete that zoning classification.

Commissioner Puckett moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was:

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

ADOPTED ORDINANCE 04-28 UPDATING THE SEWER USE ORDINANCE TO CONFORM TO THE REQUIREMENTS OF THE CITY'S WASTEWATER OPERATING PERMIT

CC Richardson read the ordinance, by title only, as follows:

An ordinance amending Chapter 22, Division 5 of the Code of Ordinances of the City of Leesburg, Florida, pertaining to sewer use regulations; repealing current Sections 22 – 106 through 22 – 115, inclusive of the Code of Ordinances in their entirety; adopting an Industrial Pretreatment Program for Wastewater and related ordinances intended to regulate the type and quality of water discharged into the City's Wastewater collection and treatment system; providing for industrial permits and the transfer thereof; imposing other regulations on discharges into the

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municipal wastewater system; providing a savings clause; and providing an effective date

Commissioner Perry moved to approve the ordinance and Commissioner Puckett seconded the motion. The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

ADOPTED ORDINANCE 04-29 ACCEPTING AN UTILITY AND ROAD EASEMENT FROM THE FATHER'S HOUSE CHRISTIAN FELLOWSHIP, INC. (SOUTH STREET)

CC Richardson read the ordinance, by title only, as follows:

An ordinance of the City of Leesburg, Florida, accepting an utility and road easement from the Father's House Christian Fellowship Inc, as grantor, to the City of Leesburg, as grantee, pertaining to land located in Section 27, Township 19 south, Range 24 east, Lake County, Florida; and providing an effective date.

Commissioner Lovell moved to approve the ordinance and Commissioner Christian seconded the motion. The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

INTRODUCED AN ORDINANCE ANNEXING APPROXIMATELY 26.26 ACRES GENERALLY LOCATED SOUTH OF U. S. HIGHWAY 441 IN THE AREA OF LEESBURG REGIONAL AIRPORT

Commissioner Lovell introduced the ordinance to be read, by title only. CC Richardson read the ordinance as follows:

An ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 26.26 acres and being generally located south of U.S. Highway 441 in the area of the Leesburg Regional Airport, lying in Sections 16, 21, 22 and 28, Township 19 south, Range 25 east, Lake County, Florida, which is contiguous to the city limits of the City of Leesburg, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and

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future indebtedness of said City; providing that such annexed property shall be subject to all laws and ordinances of said City as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be put in City Commission District 1; and providing for an effective date.

INTRODUCED AN ORDINANCE REZONING APPROXIMATELY 26.26 ACRES FROM COUNTY CP AND COUNTY LM TO C-3 AND P

Commissioner Perry introduced the ordinance to be read, by title only. CC Richardson read the ordinance as follows:

An ordinance of the City of Leesburg, Florida, rezoning approximately 26.26 acres generally located south of U.S. Highway 441 in the area of the Leesburg Regional Airport, lying in Sections 16, 21, 22 and 28, Township 19 south, Range 25 east, Lake County, Florida, from County CP (planned commercial) and County LM (light manufacturing) to C-3 (highway commercial) and P (public); and providing an effective date.

CITY ATTORNEY ITEMS: - None

CITY MANAGER ITEMS: -

DCM Johnson stated the City is now accepting credit cards for utility payments on the website. Also building permits are now viewable on-line.

ROLL CALL:

Commissioner Lovell – stated a buyer is interesting in purchasing all the Kristen Street apartments. Commissioner Lovell stated perhaps the City could help the interested buyer with the acquisition. Commissioner Lovell would like to discuss some ideas he discussed with DCM Johnson in a closed session at the next City Commission meeting.

Commissioner Christian stated any ideas will help the neighborhood and the area.

CA Morrison stated he would like to schedule a litigation strategy meeting in June.

Commissioner Perry – none

Commissioner Puckett – none

Commissioner Christian – none

Mayor Knowles – announced Stephanie Henschel from the Daily Commercial is moving to Phoenix. He wished her well. Mayor Knowles stated the City has \$17 million in projects to be done. Mayor Knowles stated he would like to discuss the topic of a daycare with LifeStream at the next meeting.

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Commissioner Perry moved to adjourn the meeting. The meeting adjourned at 6:52 p.m.

Mayor

ATTEST:

City Clerk

Diane L. Gibson Smith
Recorder

MINUTES 040510